



#5
MDJ
2-27-04

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

McGRATH

Serial No.: 10/027,907

Filed: 12/21/01

Confirmation No.: 9924

Atty. File No.: 3123-405 (MFB 16420-02074)

For: "ATTACHMENT METHOD AND
APPARATUS FOR LOAD/UNLOAD RAMP
OF A DYNAMIC LOAD DISK DRIVE"

) Group Art Unit: 2653

) Examiner: D. OMETZ

RESPONSE TO RESTRICTION
REQUIREMENT

<p>CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON 2/17/04</p> <p>MARSH FISCHMANN & BREYFOGLE LLP</p> <p>BY: <i>James Z. Johnson</i></p>

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

FEB 26 2004

Technology Center 2600

Dear Sir:

In an Office Action dated December 17, 2003, the Examiner issued a Restriction Requirement with regard to the above-identified patent application. Generally, the Examiner took the position that Claims 1-40 (Group I) and Claims 41-50 (Group II) were distinct inventions. Applicant hereby elects to prosecute Claims 1-40 (Group I) in this patent application. However, Applicant respectfully reserves the right to pursue Claims 41-50 (Group II) in a subsequent divisional/continuation application.

Enclosed is a petition for a one-month extension of time, thereby extending the time period for response from January 17, 2004 to February 17, 2004, as well as a check in the amount of \$110 as the fees for this extension. Although the Applicant believes that no other fees are due for filing

this Response to Restriction Requirement, please charge any fees deemed necessary to Deposit
Account No. 50-1419.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By. 

James L. Johnson
Registration No. 34,193
3151 South Vaughn Way, Suite 411
Aurora, Colorado 80014
(701) 293-7680

Date: 2/17/04